

AMENDED IN ASSEMBLY MARCH 15, 2010

AMENDED IN SENATE AUGUST 26, 2009

AMENDED IN SENATE AUGUST 18, 2009

AMENDED IN SENATE JULY 8, 2009

Senate Concurrent Resolution

No. 44

Introduced by Senator Corbett

May 6, 2009

Senate Concurrent Resolution No. 44—Relative to child care.

LEGISLATIVE COUNSEL'S DIGEST

SCR 44, as amended, Corbett. Child care.

This measure would request the Legislature to ~~hold one or more joint legislative hearings and requests the State Department of Education to participate in the hearing or hearings, on or before April 1, 2010, to~~ review California's current regional market rate ~~methodology and implementation guidelines~~ *survey* for subsidized child care, *as specified*. The bill would also request that all vested stakeholders be included in the planning and implementation process being undertaken by the ~~department~~ *State Department of Education* to establish new rates or a new rate structure.

Fiscal committee: yes.

- 1 WHEREAS, In 1990, the federal government began a major
- 2 investment in child care with the passage of the Child Care and
- 3 Development Block Grant ~~(CCDBG) Act~~ *Act of 1990 (CCDBG)*
- 4 (42 U.S.C. Sec. 9858 et seq.); and
- 5 WHEREAS, In 1996 CCDBG was expanded as part of federal
- 6 welfare reform legislation called the Personal Responsibility and

1 Work Opportunity Reconciliation Act (PROWORA). At that time,
2 the child care funding component became known as the Child Care
3 and Development Fund (CCDF); and

4 WHEREAS, A vital cornerstone of CCDF funding is parental
5 choice. Allowing families the ability to choose a child care
6 environment that best meets the needs of the child and the family
7 is an integral part of keeping children learning while parents are
8 earning; and

9 WHEREAS, The intent of both the federal and state child care
10 *and development* subsidy programs is to ensure that ~~families~~
11 *low-income working families with children from birth to 13 years*
12 *of age* have equal access to ~~child care providers who provide child~~
13 *care providers that provide child care and developmental services*
14 to nonsubsidized families; and

15 WHEREAS, The subsidized child ~~care and development~~
16 reimbursement system should be based on the current regional
17 market rates of ~~child care providers who~~ *that* provide care to private
18 nonsubsidized families; and

19 WHEREAS, *The subsidized regional market rate ceilings should*
20 *allow for comparable access to all quality early care and education*
21 *environments, and the regional market rate ceilings paid should*
22 *provide adequate access to high-quality infant and toddler care;*
23 *and*

24 WHEREAS, *The subsidized regional market rate ceilings should*
25 *provide opportunities for families with particular needs to obtain*
26 *quality child care options, including those families working*
27 *nontraditional hours, such as nights and weekends or working*
28 *rotating shifts, and for families with children with special needs;*
29 *and*

30 WHEREAS, *The subsidized regional market rate ceilings should*
31 *facilitate access to providers trained to work with children with*
32 *special needs from birth to 21 years of age; and*

33 WHEREAS, *The subsidized regional market rate ceilings should*
34 *make proactive efforts to ensure that all children have access to*
35 *developmentally, linguistically, and culturally competent child*
36 *care; and*

37 WHEREAS, California's child care provider reimbursement
38 rate should be updated no less than every two years in accordance
39 with requirements of the United States Department of Health and

1 Human Services and be included as part of California's State Plan;
2 and

3 WHEREAS, The methodology for the California regional market
4 rate survey was last approved in 2005. The methodology approved
5 takes into account 12 different variables, including median home
6 values, median gross rent, median real estate taxes, and median
7 household income; and

8 WHEREAS, The California economy has changed dramatically
9 since the methodology for the regional market rate was approved
10 and these changes may have an adverse impact on the upcoming
11 regional market rate survey; and

12 WHEREAS, By the time California conducts and implements
13 the market rate survey, often it is already ~~out-of-date~~ *out of date*;
14 and

15 WHEREAS, Families are disadvantaged ~~with~~ *by* outdated rates
16 that limit the access to providers who are willing and able to
17 provide quality child care to subsidized children; and

18 WHEREAS, The regulations that govern the implementation
19 of the California regional market rate ceilings can be
20 administratively burdensome and are in need of a more simplified
21 process; and

22 WHEREAS, The regional market rate development process has
23 become inadequate in providing a reasonable rate that affords
24 families access to high quality child care programs and does not
25 always represent the true cost of care; now, therefore, be it

26 ~~*Resolved by the Senate of the State of California, the Assembly*~~
27 ~~*thereof concurring, That the Legislature intends to hold one or*~~
28 ~~*more joint legislative hearings and requests the State Department*~~
29 ~~*of Education to also participate in the joint legislative hearing or*~~
30 ~~*hearings to review California's current regional market rate*~~
31 ~~*methodology and implementation guidelines, question whether*~~
32 ~~*adherence to the current regional market rate system has resulted*~~
33 ~~*in sufficient access for working poor families, and execute any*~~
34 ~~*recommended changes to the current methodology; and be it further*~~

35 *RESOLVED, by the Senate of the State of California, the*
36 *Assembly thereof concurring, That the Legislature shall review*
37 *the regional market rate survey in each year that the survey is not*
38 *being implemented to determine the following: whether the regional*
39 *market rate ceilings are adequate to ensure high-quality regional*
40 *programs; whether the ratesetting system has resulted in sufficient*

1 *access to child care for working poor families; whether the supply*
2 *of current licensed child care providers has diminished or*
3 *expanded compared to previous years; whether the regional market*
4 *rate ceilings provide access to providers able to provide infant*
5 *and toddler care, special needs care, and child care during*
6 *nontraditional hours; and, whether the regional market rate*
7 *ceilings take into account regional differences so as not to create*
8 *a bifurcated child care and development delivery system; and be*
9 *it further*

10 RESOLVED, That the Legislature requests that all vested
11 stakeholders be included in the planning and implementation
12 process being undertaken by the State Department of Education
13 to establish new rates or a new rate structure; and be it further

14 ~~RESOLVED, That the discussion items include, but not be~~
15 ~~limited to, the regional market rate history, current methodology,~~
16 ~~federal and state requirements, and the regulations and~~
17 ~~implementation guidelines used to implement the regional market~~
18 ~~rate; and be it further~~

19 ~~RESOLVED, That the joint legislative hearing or hearings take~~
20 ~~place on or before April 1, 2010, so that any recommended changes~~
21 ~~to the current regional market rate methodology can be considered~~
22 ~~in budget negotiations; and be it further~~

23 *Resolved*, That the Secretary of the Senate transmit copies of
24 this resolution to the author for appropriate distribution.